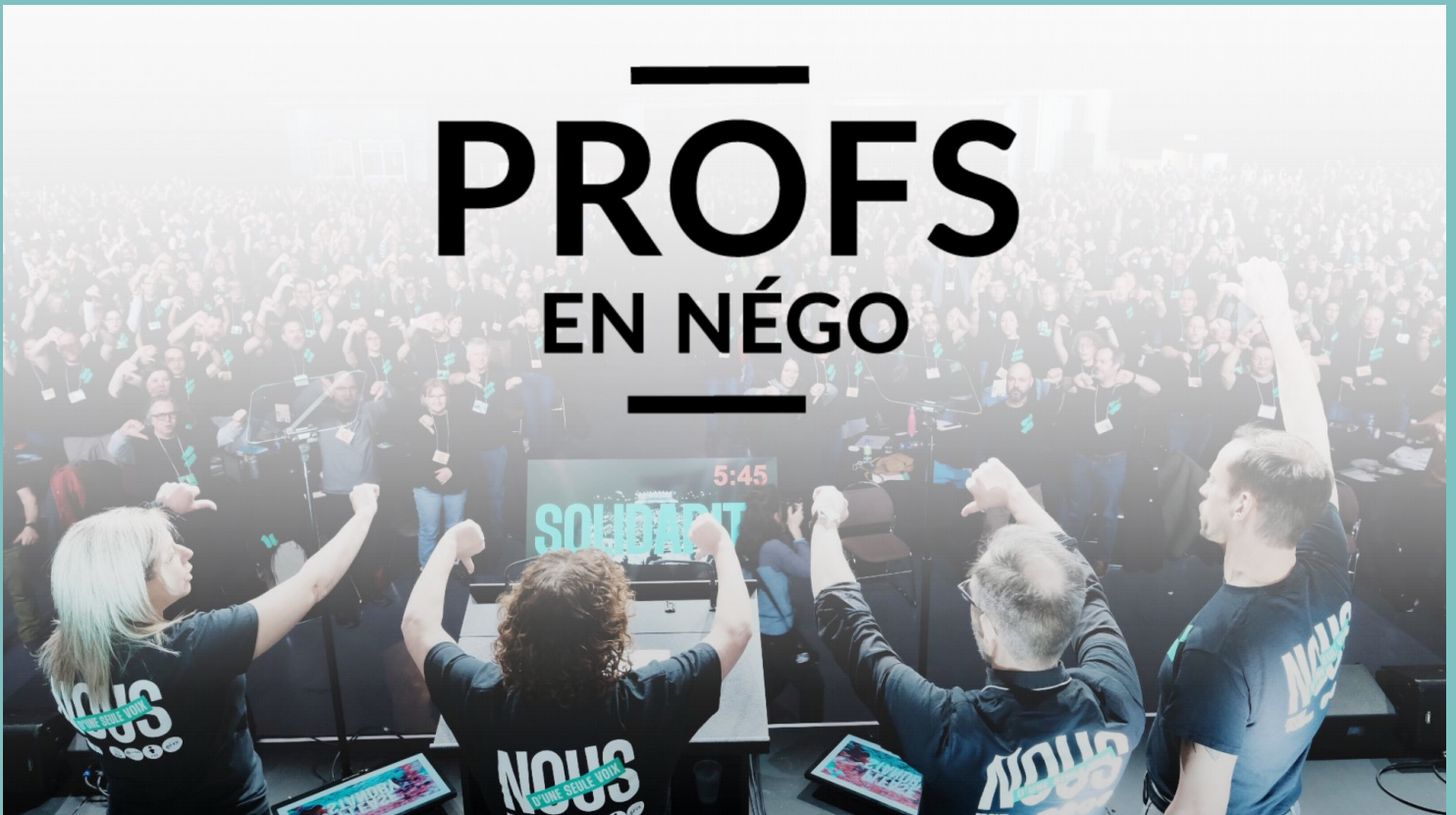


John Abbott College Faculty Association Newsletter



September 2023
Special Edition



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Maria's Take

Maria Mastorakos— JACFA President

JACFA finds itself in probably one of the busiest semesters it has seen in a very long time: the transition to new executive members, including a new president, the continued implementation of Bill 96, and the ongoing negotiations for our collective agreement and the resulting looming clouds of a strike. It can feel relentless and tiring—many days I feel like the Road Runner from the Bugs Bunny cartoons, running from one meeting to another, coordinating all the activities to ensure a successful semester

As much as the above can seem overwhelming, I think the JACFA membership is ready for things to change. Many of you have seen me in department meetings or walking the hallways with the JACFA coffee cart. The cart allows me to engage casually with members and chat with them one-on-one. From what I've seen, although people feel exhausted and demoralized, many members have a spark in them. An attitude of "I'm tired of being treated this way, this needs to stop" emanates from many of you and there appears to be a readiness and willingness to engage in labour actions.

Solidarity and labour action is not easy. What would be easy is if the Legault Government and our local administration listened to us when we express our needs to do our job well (and thus provide the best educational environment for our students) and came to the table with a mind to work together to address our issues. This is unfortunately not our current reality. We thus turn towards labour action (pressure tactics and a potential strike) in order to make ourselves heard. Labour action is never easy because it always happens when people are already exhausted and are then asked to do "one more thing" with pressure tactics or even strike days. However, I cannot stress enough ***how important that "one more thing"*** is in this case. The more of us who mobilize, the more our local administration and the government will see and hear the strength of our collective voice and be forced to pay attention.

With that in mind, I ask all members, even if you are tired, to dig a little bit inside yourself to find some energy to help with the mobilization: wear your T-shirt on Thursday (and even if you don't have one, come get a sticker from the JACFA office). Come help with mobilization events, even if just for a half hour. Talk to your students for 5 minutes during class about what is going on. **Come to the Common Front rally downtown on September 23rd.** Every little bit helps and makes a difference. If everyone contributes a small bit, the result can be a massive wake up call to the powers that be that the status-quo is no longer acceptable.

Labour action is a struggle, but it is a worthwhile one that can lead to real, lasting change. I promise that along the ride, there will be plenty of coffee and two bites brownies from the JACFA coffee cart, new friendships made with colleagues you didn't know before, and a sense of being part of something larger than yourself bringing positive change to our working conditions and thus the education of our students.

So with all that said I will ask one last thing of you: **please come to the general assembly on September 19th.** It cannot be overstated how important a large turnout and vote in favour of a strike is to our current situation. A strong show of force, a collective voice saying "enough is enough", can in and of itself bring about a tide of change for the membership.

I look forward to seeing everyone on the 19th, and around the halls with the coffee cart.

Maria

Negotiations 2023: What to Expect from a Common Front

Michael Haaf – VP External

For the second time in the last three years, our semester has started [without a contract](#) for faculty. With the offer from our employer having come no closer to our demands since negotiations began, teachers at John Abbott have been faced with the daunting prospect of carrying on course preparation and delivery without any certainty of the stability of our working conditions and our wages.

It can be easy to despair: with inflation rates at [3.4% in 2021](#), [6.8% in 2022](#), and [currently measuring 3.9% as of July 2023](#), the wage increase of 2% per year won at our last contract negotiation in 2021 represented a loss in real wages over those years. The government is currently offering 9% over 5 years — this remains well below inflation rates even as they are optimistically projected by the government to level out at 2% in the coming decade. The government has been clear about why: [they project a recession, and are trying to strong-arm the working people of Quebec into paying for it](#).

One source of guidance we can look to in uncertain times is the increasingly apparent phenomenon that we are not in this

situation alone. From the public sector to the private sector, from the ongoing [second longest library strike in Canadian history](#), to the very recent conclusion of one of the [largest grocery store strikes](#) in recent memory, the length and size of strike action in Canada and across the world is [increasing in lockstep](#) with the erosion of wages and quality of life. As noted by [the Toronto Star in late July](#), a trend of “lower-wage earners pushing back against employers for better pay in industries that have in recent years seen massive gains in profits.” has emerged.

As our own negotiations increasingly portend the necessity of calling a strike to bring the government closer to reality, it will be useful to know how these strikes have fared in recent history as a bargaining and organising tactic. Have the workers involved in these strikes managed to make concrete gains? What obstacles have faced them in this struggle?

This article will survey some of the recent strikes that have taken place in Canada, with a particular view to survey dynamics we could anticipate affecting our own potential strike action at JACFA: what is the difference between a normal strike and a gen-

eral strike? What does it mean when the government legislate the end of strike action?



Common Front Strike 1972

The Power of Strike Action

It is often explained that workers and employers negotiate the terms of employment as equal trading partners — that if one demands too greatly from the other, one can seek another trading partner elsewhere, and vice versa. This friendly rapport is generally the pose taken by labour negotiators when contracts when contracts expire: it should be understood that the [demands of the common front](#) are modest in principle, in the spirit that negotiations can be resolved rationally and peacefully if both sides come to the table in good faith, willing to listen, respond to concerns of

other side, and determine some compromise accordingly.

It is clear that the above principles are not generally true, and not just with our employers. It is useful to remember, then, that the negotiation table is not the only arena where labour relations are contested. This is where the labour strike, that is, the mass work stoppage, enters the picture.

While mass work stoppages predate industrial society, the strike has gained predominance as the most powerful tool at the disposal of workers since wage-labour became the most common form of productive economic activity after the industrial revolution. More simply put, the fact that most work these days is performed by people who share a common working space and a common employer has given rise to a great variety of negotiations tactics, the most effective being the collective and controlled stoppage of labour in workplace.

That is, when employers do not exhibit good faith, are intransigent, do not respond to the concerns of workers, and do not offer compromise, it is always important to remember that employers require employees to work, and cannot replace their employees themselves. This is easy to imagine: at the college, if teachers do not teach, if maintenance does not maintain, if technicians do not operate, if staff do not do the one-thousand-and-one essential things that they do everyday to keep the lights on,

the college cannot run.

It is of course not ideal for negotiations to reach such a pitch. The work we do is important in its own right, and it is not out of desire for that work to stop that strikes are called. It is in fact out of a recognition that in order for work to continue, and in order for our society, whose functioning depends on our work, to continue to operate normally, that workers make the hard and necessary decision to withhold their labour; so that we may live, and not toil endlessly and only for the benefit of employers; so that we may improve the conditions of our lives and the lives of those who rely on our work. [A previous issue of the Advocate](#) summarised this dual aspect: the act of going on strike demands short-term sacrifice and discomfort, but in fact entails a real exercise of democratic power: in a system where workers are afforded limited political and economic power, strikes serve as a means by which workers may assert their influence and effect positive change in society.

Of course, strikes can cause some short-term discomfort in the form of lost wages and social disruption; however, when properly exercised, strikes can deliver longer-term benefits, in the form of better wages and benefits, the resolution of longstanding workplace grievances, and in the case of public-sector negotiations, an improved public service.

How Can Strikes Fail?

Even when workers on strike are organised and motivated, it is possible for their strike to be isolated and out-lasting. Ultimately, if the employer can last for longer than the employees in a period of extended striking, the workers may be forced to end their strike to support themselves and their families without making concrete gains at the negotiating table.

As can be seen in the dozens of strikes that take place each year, and even in the history of the strikes taken by JACFA, not all strikes achieve their goals. One of the major reasons for this is that strikes are difficult to sustain for a long amount of time, and if they are not sustained, the actual effect they have on employers and negotiation is reduced. Strikes that are short (on the order of a few days or less) can send a powerful message and can be mobilising in their own right, but rarely directly affect the operation of the workplace and subsequently do not automatically determine the outcome of negotiations.

We arguably experienced such an outcome in our last round of negotiations in 2020/2021. The days we went on strike were few, and while we mobilised effectively, that was not true universally across all CEGEPs. We ended up with a deal that resulted in a real loss of wages. It is in part because of

the experience of 2020/2021 that the Common Front has formed. This dynamic will be examined further in the next section.

Even when strikes are well organised, however, there is another threat that can arise: back-to-work legislation. The legal status of striking as a collective bargaining tool has a contested history in Canada. Since the second world war, federal and provincial governments have legislated striking workers back to work on many occasions, effectively declaring strike action illegal in those instances. This went so far that in [1987](#), the supreme court ruled in favour of the province of Alberta and declared that there was no constitutional right to strike in Canada.

This [CBC FAQ](#) from 2011 gives a good overview of the mechanics of back-to-work legislation, and explains why even this isn't always sufficient to end a strike.

These circumstances ostensibly changed in 2015, when the supreme court [reversed the 1987 decision](#). It is, by the laws of this land since 2015, unconstitutional for a government to legislate workers back to work.

Curiously, we have seen an uptick in the willingness and haste of governments to nevertheless exer-

cise legislative authority in ending strikes. Some examples where such legislation has been passed from the last 5 years include [CUPW 2018](#), [Port of Montreal 2021](#), and [CP Rail 2022](#), while it has been [threatened several](#) other times.

Part of why this is even possible is the infamous [notwithstanding clause](#) added to the Canadian Charter of Rights and Freedoms with the assent of all Canadian provinces besides Quebec. The recent trend of strike legislation mostly depends upon this clause. It is a cruel irony that the Quebec government itself made use of this clause in 2021 to end the dockworkers strike -- in part, because the federal government's legislation of the postal worker's strike in 2018 was, notably, unconstitutional.

What, then, can be done in the face of bellicose governments with no respect for their own laws? The question has not been exhausted yet: there is more to understand about how strikes can escalate in the face of repression, and how strikes can generalise across workplaces and industries.

Normal vs General Strikes

With FNEEQ/CSN entering the Common Front last fall, the prospect of a general strike became a tool at our disposal. It is worth clarifying what a general strike means, and how it can differ from a normal strike.

A general strike, by contrast, occurs when several sectors decide to coordinate strike action and exercise their respective influence in tandem, compounding the disruptive effects of the strike action and making those effects more difficult for both the general public and the government to ignore.

This past April, the Public Service Alliance of Canada (PSAC) [called for an unlimited strike across its entire membership](#). With 155,000 members and an overwhelmingly positive strike mandate, the PSAC general strike of 2023 was the largest strike of federal employees since 1991. The disruption caused by this general strike action was sufficient to persuade the Federal government to return to the negotiation table in good faith, and resulted in a new contract that the members of PSAC found acceptable. For more details, see this [statement from PSAC](#).

It is worth noting that our own common front represents 420,000 members, more than double PSAC's. Should all represented federations decide to strike in tandem, this would represent the largest general strike in Canadian history -- larger even than the original Common Front of 1972!

Moreover, Governments' main tool for quelling strikes without making concessions, back-to-work legislation, is much more likely to backfire in the case of a general strike. For a particularly telling example, we need only look back to the fall of 2022, when Ontario Premier Doug Ford [signed](#) Bill



PSAC Strike, 2023

28 (the “Keeping Students in Class Act”), which invoked the notwithstanding clause to make it illegal for education workers represented by the Canadian Union of Public Employees (CUPE) and Ontario School Board Council of Unions (OSBCU) to go on strike.

The next day, 55,000 enraged education workers [walked off the job](#) in defiance of the bill, [risking](#) a \$4,000 fine. And in response to the egregious use of the notwithstanding clause, other unions came to the aid of CUPE and OSBCU, threatening to join the strike action in solidarity should the Ford Government fail to withdraw the legislation. In the end, faced with the prospect of the largest general strike in Canadian history and huge civil unrest, the Ford Government was forced to repeal the law,

return to the negotiation table, and make large concessions to the demands of the unions.

Conclusions

While strikes are familiar to many of us at John Abbott, particularly those who have worked here for more than a few years, it is worthwhile to review the fundamental purpose and role of strikes in negotiation, and society at large.

The economic conditions of working people in Quebec, in Canada, and the world at large has deteriorated rapidly in the past decade. Attempts to negotiate a reasonable, and frankly modest, contract this year have been met with hostility and intransigence by our employers.

We are reminded by recent history that not all strikes are automatically victories. We have also seen, however, that the power of working people mobilising together in defiance of unjust treatment and ludicrous legislation is effective and can be decisive.

This year, we do not have to accept a wage cut. We do not have to accept increased precarity. We can have agency and play a positive role in managing unprecedented ecological turmoil and an uncertain economic future. We can win a better future.



Public sector workers carried out rolling one-day strikes across Quebec in October and November 2015

Road Map to a Strike

On September 19th we will be asking our General Assembly to support strike actions up to and including an unlimited general strike, a mandate which has not been sought or given since 1983. This article outlines the coordination of the strike vote and what happens if we have strike days.

How will the strike votes be carried out?

Between now and October 13th, all public sector unions of the CSN will be voting on the same strike motion. Within this process, a union will achieve a mandate to strike if:

- a) they vote in favour of the motion, and
- b) their respective union federations (in our case, FNEEQ) attain a double majority outcome; this means a majority of all votes cast at the 46 FNEEQ Cegep-teacher unions are in favour of the strike, and a majority of those unions (24 or more) vote in favour of a strike.

If a local union votes against the strike and the double mandate is attained by the federation, that local union does not have a mandate to go on strike. However, that union may choose to rally with the federation through a rally vote (this item will also be included in our GA agenda). A successful rally vote means that the union will rally and go on strike along with the federation, despite originally voting against the strike. The rally vote will not be necessary if a union is successful in the strike vote.

Who will decide which days to strike, if the mandate is obtained? What does an “unlimited general strike” mandate mean in this case?

The CSN federations, in coordination with the Common Front, will decide the timing and duration of the strikes. They will be given the mandate to call the strike at the most strategically advantageous time. The unlimited general strike will not be called right away. Initially, a limited number of strike days will be called. That limited strike will take place, then a pause will ensue for further negotiations. This sequence of limited strikes and pauses will happen once or twice and if insufficient progress is made and if the Government continues to come to the table with unacceptable offers despite these limited strike sequences, a general unlimited strike will be called.

The strike days have been set, what now? Will I get paid?

We will receive no salary from the College on our strike days. However, members who participate in strike days will be eligible for strike pay. JACFA has a healthy local strike fund, as well as access to the Fond de Défense Professionnelle (FDP) from the CSN. In order to be eligible for the FDP, JACFA must be on strike for more

than 2 days, and members must present themselves to the picket line and perform 6 hours per day of picketing or strike supporting activities. If we are on strike for more than two days, the FDP will subsidize a portion of our strike pay, and the remainder will be drawn from the JACFA strike fund. For example, if the General Assembly decides on \$120 per day for strike pay and the FDP provides \$60 per day, JACFA would top up the FDP by \$60 so that members receive \$120 in total for that day. If the General Assembly decides to support a strike, it will also determine the daily strike pay at the same meeting.

How do I qualify for strike pay? Do I have to picket a door?

In order to obtain strike pay, you must present yourself to the picket line in person and perform 6 hours of picketing or picket line supporting work. Before the strike starts, we will send out signup sheets for people to register for specific shifts to make sure we always have enough people to picket around the college, and to allow members to sign up for non-picket activities, like helping with childcare and food setup/serving. There will be a tent for shelter where we sign people in and where food, coffee and drinks are available. Wheelchair accessible portable toilettes will

also be available on-site, as we will not have access to college buildings. Members are encouraged to bring their children, and in general, the atmosphere at John Abbott during strikes is relaxed and convivial.

Why should we bother to go on strike when the government has the power to decree us back to work, and legislate the terms of our Collective Agreement?

While the government does wield such legislative powers, they cannot exercise these powers on a whim, with no regard for the actual political climate. Imposing these kinds of measures can often result in strong political backlash. As an example, the Ontario Provincial government announced their plan to use the Notwithstanding clause to legislate CUPE education workers back to work in November 2022. The pushback from the public was so strong and swift that the provincial government backed down within a few days.

Consequently, the stronger our mobilization - demonstrated through the strength our strike mandates and voter turnouts, and the strength of our September 23 demonstration in Montreal - the more the government will think twice before resorting to a decree. The fact that we are 420 000 strong in the Common Front, within a movement that is asking for reasonable increases in salary in light of skyrocketing consumer prices (and where the en-

tirety of the population is also feeling the pinch), weakens the government's hand in legislating us back to work. Historically, even in cases where back-to-work decrees were passed, in the face of strong mobilization and defiance, the government has been known to become more conciliatory in their imposed settlements.

All this to say, whatever the outcome, our strike mobilization will not be in vain. Conversely, a failed or weak mandate would remove the leverage we have at the negotiation table. That is why we are striving for a massive turnout and strong mandate on September 19.

The strike is over, we've missed a bunch of days of classes, what now?

Depending on how long the strike lasts, the College may require teachers to teach make up days. According to court rulings stemming from the 2005 Cegep-teacher strike, colleges cannot ask teachers to teach make-up classes without proper compensation. Legally the college must compensate teachers, either with extra pay or where possible, by reducing teachers' responsibilities in other areas of Volet 1, as defined by article 8-4.00 of the Collective Agreement. However, should the college administration not properly compensate teachers if they schedule make-up days, JACFA will file a grievance and will coordinate with our FNEEQ Syndical counselors to attempt to resolve the

dispute and get our teachers compensated fairly.

In the meantime, departments could take steps, if they choose, to mitigate the potential impact of canceled classes where possible, by developing contingent pedagogical plans in case makeup classes do not happen.

It is important to note that during labour disruptions it is near impossible to completely avoid short-term, negative impact on students. That being said, we need to bear in mind that the very reason we are taking a stand now is because we want to preserve and improve the quality of education for our students. **It is also important to keep in mind that all these disruptions could be avoided if the government simply showed any interest in reasonably negotiating with us.**

None of this would be necessary if the government showed any measure of good faith, instead of forcing us to push back hard with labour action.

Still have questions about the strike vote and strike days? Please direct them to jacfa@johnabbott.qc.ca.

The College employees wearing the Common Front T-shirts at the Welcome Back Breakfast. Please wear your T-shirts on Thursdays to show your solidarity



Meet Your New Executive



From left: Michael Haaf (VP External), Maria Mastorakos (President), Ethan Mombourquette (VP Internal), Adil D'Sousa (Secretary), Alexandre Panassenko (Treasurer), Sarwat Viqar (Director)



Mark your calendar:

JACFA General Assembly
September 19 in Cafeteria
Dinner 4:30 to 5:30
GA starts at 5:30

Common Front National Rally
September 23
1:00 Jeanne-Mance Park

International Teachers Day
Soup Lunch
October 5
11:30 in Staff Lounge

NATIONAL RALLY FOR OUR PUBLIC SERVICES

SATURDAY, SEPTEMBER 23, 2023
MONTREAL
JEANNE-MANCE PARK 1 PM



ROSALIE VAILLANCOURT
HOST



LES LOUANGES
MUSICAL SHOW



**FRONT
COMMUN**

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